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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON, PORTLAND DIVISION

TRUSTEES OF THE OREGON AND  
SOUTHWEST WASHINGTON PAINTERS  
PENSION TRUST FUND, et al.,

Plaintiffs,

v.

FRANK AYRES, INC.,

Defendant.

Civil No. 10-350-BR

**ORDER FOR EXAMINATION  
OF JUDGMENT DEBTOR**

THIS MATTER having come for hearing before the court on plaintiffs' Motion for Examination of Debtor Exam, it appearing from the records and files herein that plaintiffs executed on the judgment against defendant by issuing a writ of Garnishment, and that the judgment in this matter remains unsatisfied, it is hereby

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ORDERED that Frank Ayres, as defendant's president, appear before the Hon. Anna J. Brown in Courtroom 14A of the United States Courthouse, 1000 S.W. Third Avenue, Portland, Oregon 97204 on the 16<sup>th</sup> day of April 2012, at the hour of 1:30 p.m., and answer questions under oath concerning any property or interest in property that defendant may have, and it is further

ORDERED that Frank Ayres, as defendant's president, then and there produce the following documents:

1. All financial books and records that Frank Ayres, Inc. has maintained within the last 24 months, including income tax returns, checkbooks, bank statements, books of account, cash journals and ledgers.
2. A list of all items of value that Frank Ayres, Inc. sold, transferred, assigned, conveyed or otherwise disposed of during the two-year period preceding its dissolution, including but not limited to tangible and intangible assets, inventory, accounts receivable, contracts, etc.
3. A list of Frank Ayres, Inc.'s undistributed assets, as well as a detailed accounting of the disposition of each and every asset after Frank Ayres, Inc.'s dissolution, including but not limited to tangible and intangible assets, inventory, accounts receivable, contracts, etc.
4. All invoices, receipts, purchase and/or sale agreements and bills of sale which relate in any way to the sale, transfer, assignment, conveyance or other disposition of assets as referenced in items (2) and (3), above.
5. All contracts and/or agreements of any nature or kind entered into at anytime between Frank Ayres, Inc. and Ayres Painting Company.

6. Frank Ayres, Inc.'s minutes related to the decision to dissolve the company.
7. A list of all employees who worked for Frank Ayres, Inc. at any point in time during the one-year period leading up to its dissolution.
8. A list of all officers, managers and supervisors of Frank Ayres, Inc. who operated in such capacity at any point in time during the one-year period leading up to its dissolution, to include an identification of the each person's name and title.


IT IS FURTHER ORDERED that Frank Ayres, as secretary of Ayres Painting Company, then and there produce the following documents:

1. All financial books and records that Ayres Painting Company has maintained within the last 24 months, including income tax returns, checkbooks, bank statements, books of account, cash journals and ledgers.
2. A list of all items of value that Ayres Painting Company has purchased, received, traded for or otherwise acquired from October 1, 2009, through the date the documents are produced.
3. A list of all items of value that Ayres Painting Company has sold, transferred, assigned, conveyed or otherwise disposed of from October 1, 2009, through the date the documents are produced.
4. All invoices, receipts, purchase and/or sale agreements and bills of sale which relate in any way to the acquisition or disposition of assets as referenced in items (2) and (3), above.
5. All contracts and/or agreements of any nature or kind entered into at anytime between Frank Ayres, Inc. and Ayres Painting Company.

6. A list of Ayres Painting Company's inventory and equipment.
7. A list of all employees who have worked for Ayres Painting Company at any point in time since the dissolution of Frank Ayres, Inc.
8. A list of all officers, managers and supervisors of Ayres Painting Company who have operated in such capacity at any point in time since the dissolution of Frank Ayres, Inc., to include an identification of the each person's name and title.

IT IS FURTHER ORDERED that defendant is hereby enjoined and prohibited from selling, conveying, transferring or assigning any of its assets prior to the examination which are subject to execution by plaintiffs.

IT IS SO ORDERED this 2<sup>nd</sup> day of February, 2012.



Hon. Anna J. Brown  
U.S. District Court Judge

Presented By:  
Brownstein Rask

\s\ Cary R. Cadonau

Cary R. Cadonau, OSB # 00224  
Of Attorneys for Plaintiffs